

JONATHAN O. PENA, ESQ.  
CA Bar ID No. 278044  
Peña & Bromberg, PLC  
2440 Tulare St., Suite 320  
Fresno, CA 93721  
Telephone: 559-412-5390  
Fax: 866-282-6709  
info@jonathanpena.com  
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

ROBERT RIVAS,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting  
Commissioner of Social Security,

Defendant.

Case No. 1:22-cv-00815-JLT-BAM  
STIPULATED MOTION AND  
~~PROPOSED~~ ORDER FOR THIRD  
EXTENSION OF TIME

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 11-day extension of time, from February 13, 2023 to February 24, 2023, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's third request for an extension of time. Good cause exists for the requested extension. For the weeks of January 31, 2023 and February 6, 2023, Counsel currently has 32 merit briefs, and several letter briefs and reply

1 briefs. Additional time is needed to thoroughly brief this matter for the Court.  
2 Lastly, Counsel for Plaintiff continues to be on partial leave, working limited hours  
3 for the months of January through March of 2023 (with a possible extension).

4 Defendant does not oppose the requested extension. Counsel apologizes to  
5 the Defendant and Court for any inconvenience this may cause.

6  
7 Respectfully submitted,

8 Dated: January 30, 2023

PENA & BROMBERG, ATTORNEYS AT LAW

9  
10 By: /s/ Jonathan Omar Pena  
11 JONATHAN OMAR PENA  
12 Attorneys for Plaintiff  
13

14 Dated: January 30, 2023

PHILLIP A. TALBERT  
United States Attorney  
MATHEW W. PILE  
Associate General Counsel  
Office of Program Litigation  
Social Security Administration

19  
20 By: \*/s/ Caspar Chan  
21 Caspar Chan  
22 Special Assistant United States Attorney  
23 Attorneys for Defendant  
24 (\*As authorized by email on Jan. 30, 2023)  
25  
26  
27  
28

**ORDER**

Pursuant to stipulation and good cause appearing, Plaintiff shall have an 11-day extension of time to serve Defendant with Plaintiff's Motion for Summary Judgment. Plaintiff shall now serve his Motion for Summary Judgment on or before February 24, 2023.

IT IS SO ORDERED.

Dated: January 31, 2023

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE